

SENATE BILL No. 184

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-13-1; IC 4-23-16; IC 5-14-3-3.5; IC 5-15-5.1; IC 5-21; IC 20-10.1-25-1.

Synopsis: State information technology. Creates the information technology department. Transfers to the new department the duties, rules, personnel, funds, and equipment of the division of information technology of the department of administration and the technology oversight commission.

Effective: July 1, 2005.

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January 4, 2005, read first time and referred to Committee on Economic Development and Technology.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 184

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-13-1-3 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) The department consists of
3 the following divisions:

- 4 (1) General services.
- 5 (2) Property management.
- 6 ~~(3) Information services.~~
- 7 ~~(4)~~ (3) Public works.
- 8 ~~(5)~~ (4) State land office.

9 (b) The commissioner may do the following:

- 10 (1) Organize the department and its divisions.
- 11 (2) Transfer or merge functions between divisions in the interest
- 12 of economy and efficiency.
- 13 (3) Terminate certain divisions within the department whenever
- 14 possible.

15 (c) The commissioner may exercise direction and supervision over
16 the divisions in the performance of their respective functions, subject
17 to the approval of the governor.

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SECTION 2. IC 4-13-1-4 IS AMENDED TO READ AS FOLLOWS
 [EFFECTIVE JULY 1, 2005]: Sec. 4. The department shall, subject to
 this chapter, do the following:

(1) Execute and administer all appropriations as provided by law,
 and execute and administer all provisions of law that impose
 duties and functions upon the executive department of
 government, including executive investigation of state agencies
 supported by appropriations and the assembly of all required data
 and information for the use of the executive department and the
 legislative department.

(2) Supervise and regulate the making of contracts by state
 agencies.

(3) Perform the property management functions required by
 IC 4-20.5-6.

(4) Assign office space and storage space for state agencies in the
 manner provided by IC 4-20.5-5.

(5) Maintain and operate the following for state agencies:

(A) Central duplicating.

(B) Printing.

(C) Machine tabulating.

(D) Mailing services.

(E) Centrally available supplemental personnel and other
 essential supporting services.

~~(F) Information services.~~

~~(G) Telecommunication services.~~

The department may require state agencies to use these general
 services in the interests of economy and efficiency. The general
 services rotary fund ~~the telephone rotary fund, and the data~~
~~processing rotary fund are~~ is established through which ~~these~~
 services may be rendered to state agencies. The budget agency
 shall determine the amount for ~~each~~ the rotary fund.

(6) Control and supervise the acquisition, operation, maintenance,
 and replacement of state owned vehicles by all state agencies. The
 department may establish and operate, in the interest of economy
 and efficiency, a motor vehicle pool, and may finance the pool by
 a rotary fund. The budget agency shall determine the amount to
 be deposited in the rotary fund.

(7) Promulgate and enforce rules relative to the travel of officers
 and employees of all state agencies when engaged in the
 performance of state business. These rules may allow
 reimbursement for travel expenses by any of the following
 methods:

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- 1 (A) Per diem.
 2 (B) For expenses necessarily and actually incurred.
 3 (C) Any combination of the methods in clauses (A) and (B).
 4 The rules must require the approval of the travel by the
 5 commissioner and the head of the officer's or employee's
 6 department prior to payment.
 7 (8) Administer IC 4-13.6.
 8 (9) Prescribe the amount and form of certified checks, deposits,
 9 or bonds to be submitted in connection with bids and contracts
 10 when not otherwise provided for by law.
 11 (10) Rent out, with the approval of the governor, any state
 12 property, real or personal:
 13 (A) not needed for public use; or
 14 (B) for the purpose of providing services to the state or
 15 employees of the state;
 16 the rental of which is not otherwise provided for or prohibited by
 17 law. Property may not be rented out under this subdivision for a
 18 term exceeding ten (10) years at a time. However, if property is
 19 rented out for a term of more than four (4) years, the
 20 commissioner must make a written determination stating the
 21 reasons that it is in the best interests of the state to rent property
 22 for the longer term. This subdivision does not include the power
 23 to grant or issue permits or leases to explore for or take coal, sand,
 24 gravel, stone, gas, oil, or other minerals or substances from or
 25 under the bed of any of the navigable waters of the state or other
 26 lands owned by the state.
 27 (11) Have charge of all central storerooms, supply rooms, and
 28 warehouses established and operated by the state and serving
 29 more than one (1) agency.
 30 (12) Enter into contracts and issue orders for printing as provided
 31 by IC 4-13-4.1.
 32 (13) Sell or dispose of surplus property under IC 5-22-22, or if
 33 advantageous, to exchange or trade in the surplus property toward
 34 the purchase of other supplies, materials, or equipment, and to
 35 make proper adjustments in the accounts and inventory pertaining
 36 to the state agencies concerned.
 37 (14) With respect to power, heating, and lighting plants owned,
 38 operated, or maintained by any state agency:
 39 (A) inspect;
 40 (B) regulate their operation; and
 41 (C) recommend improvements to those plants to promote
 42 economical and efficient operation.

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(15) Administer, determine salaries, and determine other personnel matters of the department of correction ombudsman bureau established by IC 4-13-1.2-3.

SECTION 3. IC 4-23-16-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 1.5. The information technology department (referred to as "the department" in this chapter) is established.**

SECTION 4. IC 4-23-16-1.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 1.6. (a) The department may require state agencies to use information and telecommunications services provided by the department.**

(b) The:

- (1) data processing rotary fund; and**
- (2) telephone rotary fund;**

are established to be used to provide services to state agencies. The department shall administer the funds established by this subsection.

(c) The budget agency shall determine the amount of funding for each rotary fund established by subsection (b).

SECTION 5. IC 4-23-16-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 4. (a) The staff of the ~~commission~~ department shall assist the ~~commission~~ chief information officer appointed under section 4.1 of this chapter in implementing this chapter.**

(b) The ~~commission~~ department shall create, from existing state agency personnel or other individuals and organizations, any additional groups or committees necessary to carry out its responsibilities.

SECTION 6. IC 4-23-16-4.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 4.1. (a) The governor shall appoint an executive director of the ~~commission~~ a chief information officer of the department, who serves at the governor's pleasure. The ~~commission~~ shall advise the governor in the selection of the executive director.**

(b) Subject to the approval of the ~~commission~~, The executive director ~~chief information officer~~ may do the following:

- (1) Employ staff for the department necessary to advise and assist the ~~commission~~ chief information officer as required by this chapter.**
- (2) Fix compensation of staff according to the policies currently enforced by the budget agency and the state personnel department.**

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(3) Engage experts and consultants to assist the ~~commission~~
department.

(4) Expend funds made available to the ~~staff~~ **department**
according to the policies established by the budget agency.

(5) Establish policies, procedures, standards, and criteria
necessary to carry out the duties of the ~~staff of the commission~~
department.

SECTION 7. IC 4-23-16-4.2 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4.2. (a) Subject to the
direction of the ~~commission~~, **chief information officer**, the staff of the
department shall do the following:

(1) Provide technical staff support services to the ~~commission~~
department.

(2) Monitor trends and advances in information technology.

(3) Develop an overall strategy and architecture for the use of
information technology in state government.

(4) Coordinate state information technology master planning.

(5) Review and recommend actions to the ~~commission~~ **chief
information officer** on project requests, contracts, and technical
documents.

(6) Provide consulting and technical advisory services to state
agencies.

(7) Monitor agency information technology activities.

(8) Review information technology project plans and budget
requests.

(9) Develop and maintain policies, procedures, and guidelines for
the effective use of information technology.

(10) Monitor information technology legislation and recommend
needed legislation to the ~~commission~~, **chief information officer.**

(11) Conduct periodic management reviews of information
technology activities within state agencies.

(12) Maintain an inventory of information technology resources
and expenditures.

(13) Perform other related functions and duties ~~that are requested~~
as directed by the ~~commission~~, **chief information officer.**

(b) The ~~commission~~ **chief information officer** may require a
director of information technology services or other knowledgeable
individuals employed by an agency to advise and assist the staff of the
department in carrying out the ~~commission's~~ **department's** functions.

SECTION 8. IC 4-23-16-5 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) As used in this
chapter, "information technology" includes the resources, technologies,

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and services associated with the fields of:

- (1) information processing;
- (2) office automation; and
- (3) telecommunication facilities and networks.

(b) It shall be the responsibility of the ~~commission~~ **department** to coordinate the operations of the various information technology systems within the executive, including the administrative, branch of state government insofar as is possible without infringing upon the prerogatives of the separately elected state officials. The objectives of the ~~commission~~ **department** shall be to develop consistent policy and to promote economical, effective, and integrated information technology services, technology accessibility, operational security, and adherence to the principles of the code of fair information practices for individual privacy.

SECTION 9. IC 4-23-16-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. The ~~commission~~ **department** shall develop and maintain policy and administrative procedures and shall distribute the operational rules of the ~~commission~~ **department** to all affected agencies.

SECTION 10. IC 4-23-16-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. The ~~commission~~ **department** shall:

- (1) review the status of all major projects under implementation;
- (2) continuously monitor the quality and timeliness of the state's operations; and
- (3) except in the case of separately elected state officials, control new application projects by approving, modifying, deferring or rejecting project proposals.

SECTION 11. IC 4-23-16-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 8. (a) Except as provided in subsection (b), all:

- (1) requests and contracts for information technology consultants and contractors; ~~att~~
- (2) requests and contracts for facilities management contractors; ~~att~~
- (3) requests and contracts for computer equipment or software rental, lease, or acquisition; and ~~att~~
- (4) requests for the sharing of either data or systems with any other agency of state, local, or federal government or with any nongovernmental entity;

must be submitted to the ~~commission~~, **department**, or to the designee of the ~~commission~~, **department**, for review and approval. The

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~~commission~~ **department** may not approve a request or contract submitted under this section unless the request or contract complies with the accessibility standards developed under section 12 of this chapter.

(b) Contracts by separately elected state officials are subject to review and comment by the ~~commission~~ **department** but are not subject to the approval of the ~~commission~~ **department**. A contract by a separately elected state official must be submitted for review and comment by the ~~commission~~, **department**, or by a designee of the ~~commission~~, **department**, at least thirty (30) days before it is approved under IC 4-13-2-14.1.

SECTION 12. IC 4-23-16-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. All agencies in the executive, including the administrative, branch of state government shall annually submit to the ~~commission~~ **department** an information technology resource inventory to include all information technology hardware, software, technical personnel and information technology contracts.

SECTION 13. IC 4-23-16-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 10. The ~~commission~~ **department** shall conduct such studies and reviews as it deems necessary to provide high quality, cost effective information technology within state government, with adequate protections of the individual citizen's interests in personal privacy. ~~It~~ **The department** shall recommend to the appropriate state official, the governor, or the legislature any necessary changes in information technology within state government.

SECTION 14. IC 4-23-16-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 12. (a) The ~~commission~~ **chief information officer appointed under section 4.1 of this chapter** shall appoint a group to develop standards that are compatible with principles and goals contained in the electronic and information technology accessibility standards adopted by the architectural and transportation barriers compliance board under Section 508 of the federal Rehabilitation Act of 1973 (29 U.S.C. 794d), as amended. The ~~commission~~ **department** shall adopt rules under IC 4-22-2 concerning the standards developed under this section. Those standards must conform with the requirements of Section 508 of the federal Rehabilitation Act of 1973 (29 U.S.C. 794d), as amended.

(b) The group **appointed under subsection (a)** shall consist, at minimum, of the following:

(1) A representative of an organization with experience in and

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1 knowledge of assistive technology policy.

2 (2) An individual with a disability.

3 (3) Representatives of the judicial and legislative branches of
4 state government.

5 (4) Representatives of the administrative branch of state
6 government.

7 (5) At least three (3) representatives of local units of government.

8 (c) If an agency cannot immediately follow the information
9 technology accessibility standards **without incurring undue burden**,
10 it shall submit a plan for ~~undue burden~~ with timelines for **later**
11 compliance ~~and the~~ **with the standards**. A plan **submitted under this**
12 **subsection** must provide alternative means for accessibility during the
13 period **when the plan will be in effect**.

14 (d) Notwithstanding any law, the standards developed under
15 subsection (a) apply to the executive, legislative, judicial, and
16 administrative branches of state and local government.

17 SECTION 15. IC 5-14-3-3.5 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3.5. (a) As used in this
19 section, "state agency" has the meaning set forth in IC 4-13-1-1. The
20 term does not include the office of the following elected state officials:

21 (1) Secretary of state.

22 (2) Auditor.

23 (3) Treasurer.

24 (4) Attorney general.

25 (5) Superintendent of public instruction.

26 However, each state office described in subdivisions (1) through (5)
27 and the judicial department of state government may use the computer
28 gateway administered by the intelnet commission established under
29 IC 5-21-2, subject to the requirements of this section.

30 (b) As an additional means of inspecting and copying public
31 records, a state agency may provide enhanced access to public records
32 maintained by the state agency.

33 (c) If the state agency has entered into a contract with a third party
34 under which the state agency provides enhanced access to the person
35 through the third party's computer gateway or otherwise, all of the
36 following apply to the contract:

37 (1) The contract between the state agency and the third party must
38 provide for the protection of public records in accordance with
39 subsection (d).

40 (2) The contract between the state agency and the third party may
41 provide for the payment of a reasonable fee to the state agency by
42 either:

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(A) the third party; or

(B) the person.

(d) A contract required by this section must provide that the person and the third party will not engage in the following:

(1) Unauthorized enhanced access to public records.

(2) Unauthorized alteration of public records.

(3) Disclosure of confidential public records.

(e) A state agency shall provide enhanced access to public records only through the computer gateway administered by the intelenet commission established under IC 5-21-2, except as permitted by the ~~data process oversight commission~~ **information technology department** established ~~under IC 4-23-16-1~~ **by IC 4-23-16-1.5**.

SECTION 16. IC 5-15-5.1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) Subject to approval by the oversight committee on public records created by section 18 of this chapter, the commission shall do the following:

(1) Establish a forms management program for state government and approve the design, typography, format, logo, data sequence, form analysis, form number, and agency file specifications of each form.

(2) Establish a central state form numbering system and a central cross index filing system of all state forms, and standardize, consolidate, and eliminate, wherever possible, forms used by state government.

(3) Approve, provide, and in the manner prescribed by IC 5-22, purchase photo-ready copy for all forms.

(4) Establish a statewide records management program, prescribing the standards and procedures for record making and record keeping. However, the investigative and criminal history records of the state police department are exempted from this requirement.

(5) Coordinate utilization of all micrographics equipment in state government.

(6) Assist the Indiana department of administration in coordinating utilization of all duplicating and printing equipment in the executive and administrative branches.

(7) Advise the Indiana department of administration with respect to the purchase of all records storage equipment.

(8) Establish and operate a distribution center for the receipt, storage, and distribution of all material printed for an agency.

(9) Establish and operate a statewide archival program to be called the Indiana state archives for the permanent government

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records of the state, provide consultant services for archival programs, conduct surveys, and provide training for records coordinators.

(10) Establish and operate a statewide record preservation laboratory.

(11) Prepare, develop, and implement record retention schedules.

(12) Establish and operate a central records center to be called the Indiana state records center, which shall accept all records transferred to it, provide secure storage and reference service for the same, and submit written notice to the applicable agency of intended destruction of records in accordance with approved retention schedules.

(13) Demand, from any person or organization or body who has illegal possession of original state or local government records, those records, which shall be delivered to the commission.

(14) Have the authority to examine all forms and records housed or possessed by state agencies for the purpose of fulfilling the provisions of this chapter.

(15) In coordination with the ~~data processing oversight commission created under IC 4-23-16~~, **information technology department established by IC 4-23-16-1.5**, establish standards to ensure the preservation of adequate and permanent computerized and auxiliary automated information records of the agencies of state government.

(16) Notwithstanding IC 5-14-3-8, establish a schedule of fees for services provided to patrons of the Indiana state archives. A copying fee established under this subdivision may exceed the copying fee set forth in IC 5-14-3-8(c).

(b) In implementing a forms management program, the commission shall follow procedures and forms prescribed by the federal government.

(c) Fees collected under subsection (a)(16) shall be deposited in the state archives preservation and reproduction account established by section 5.3 of this chapter.

SECTION 17. IC 5-15-5.1-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 18. (a) The oversight committee on public records consists ex officio of:

- (1) the governor or ~~his~~ **the governor's** designee;
- (2) the secretary of state or ~~his~~ **the secretary's** designee;
- (3) the state examiner of the state board of accounts or ~~his~~ **the state examiner's** designee;
- (4) the director of the **Indiana** state library;

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(5) the director of the **Indiana** historical bureau;
 (6) the director of the commission on public records;
 (7) the commissioner of the **Indiana** department of administration
 or ~~his~~ **the commissioner's** designee;
 (8) the public access counselor; and
 (9) the ~~executive director of the data processing oversight~~
~~commission~~ **chief information officer of the information**
technology department established by IC 4-23-16-1.5 or the
~~executive director's~~ **chief information officer's** designee.

(b) The oversight committee also consists of two (2) lay members appointed by the governor for a term of four (4) years. One (1) lay member shall be a professional journalist or be a member of an association related to journalism.

(c) The oversight committee shall elect one (1) of its members to be chairman. The director of the commission on public records shall be the secretary of the committee. The ex officio members of the oversight committee shall serve without compensation and shall receive no reimbursement for any expense which they may incur. Each lay member is entitled to reimbursement for traveling and other expenses as provided in the state travel policies and procedures, established by the department of administration and approved by the ~~state~~ budget agency and each lay member is entitled to the minimum salary per diem as provided in IC 4-10-11-2.1(b).

SECTION 18. IC 5-21-2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) The commission consists of ~~sixteen (16)~~ **seventeen (17)** members as follows:

- (1) Four (4) members appointed by the governor for terms of four (4) years each with representation from the user community and general public.
- (2) A representative of the governor to serve at the governor's pleasure.
- (3) The lieutenant governor or the lieutenant governor's designee.
- (4) The ~~state~~ budget director or the ~~state~~ budget director's designee.
- (5) The ~~state~~ superintendent of public instruction or the ~~state~~ superintendent's designee.
- (6) The director of the Indiana state library or the director's designee.
- (7) The executive director, who serves as a nonvoting member and as secretary.
- (8) The commissioner of the Indiana department of administration or the commissioner's designee.

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(9) The chief information officer of the information technology department established by IC 4-23-16-1.5 or the chief information officer's designee.

~~(9)~~ **(10)** A representative of the coordinating unit established under IC 20-12-12-3.

~~(10)~~ **(11)** Two (2) members of the house of representatives appointed by the speaker of the house, who may not be members of the same political party, to serve as nonvoting ex officio members of the commission.

~~(11)~~ **(12)** Two (2) members of the senate appointed by the president pro tempore of the senate, who may not be members of the same political party, to serve as nonvoting ex officio members of the commission.

(b) If a vacancy occurs among the appointed members of the commission, the governor shall appoint another member to serve the unexpired term of the vacating member.

(c) The governor may authorize one (1) or more members of the commission to designate another individual to act for the member under this article. The governor's authorization may be modified or terminated at any time.

SECTION 19. IC 5-21-2-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 12. The commission is not subject to the jurisdiction of the ~~data processing oversight commission under IC 4-23-16~~ **information technology department.**

SECTION 20. IC 5-21-6-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) The committee is composed of the following ~~nine~~ **(9) ten (10)** members:

(1) The ~~state~~ budget director or the director's designee.

(2) The commissioner of the Indiana department of administration or the commissioner's designee.

(3) The chief information officer of the information technology department or the chief information officer's designee.

~~(3)~~ **(4)** A liaison from the governor's office.

~~(4)~~ **(5)** The director of the **Indiana** state library or the director's designee.

~~(5)~~ **(6)** The director of the commission on public records or the director's designee.

~~(6)~~ **(7)** The attorney general or the attorney general's designee.

~~(7)~~ **(8)** Three (3) individuals who are members of the general public, appointed by the governor for three (3) year terms.

(b) In addition to the members designated under subsection (a), the

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governor may appoint any number of nonvoting members who serve at the governor's pleasure.

(c) The intelenet commission shall select one (1) member of the committee to serve as chairperson of the committee.

(d) ~~Five (5)~~ **Six (6)** members of the committee constitute a quorum. The affirmative votes of ~~five (5)~~ **six (6)** members of the committee are necessary for the committee to take action.

SECTION 21. IC 20-10.1-25-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) The educational technology program and fund is established for the purpose of providing and extending educational technologies to elementary and secondary schools for:

(1) the 4R's technology grant program to assist school corporations (on behalf of public schools) in purchasing technology equipment:

(A) for kindergarten and grade 1 students, to learn reading, writing, and arithmetic using technology;

(B) for students in all grades, to understand that technology is a tool for learning; and

(C) for students in kindergarten through grade 3 who have been identified as needing remediation, to offer daily remediation opportunities using technology to prevent those students from failing to make appropriate progress at the particular grade level;

(2) providing educational technologies, including computers in the homes of students;

(3) conducting educational technology training for teachers; and

(4) other innovative educational technology programs.

(b) The department may also utilize money in the fund under contracts entered into with the ~~Indiana department of administration and the state data processing oversight commission~~ **information technology department established by IC 4-23-16-1.5** to study the feasibility of establishing an information telecommunications gateway that provides access to information on employment opportunities, career development, and instructional services from data bases operated by the state among the following:

(1) Elementary and secondary schools.

(2) Institutions of higher learning.

(3) Vocational educational institutions.

(4) Libraries.

(5) Any other agencies offering education and training programs.

(c) The fund consists of:

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- (1) state appropriations;
- (2) private donations to the fund;
- (3) money directed to the fund from the corporation for educational technology under IC 20-10.1-25.1; or
- (4) any combination of the amounts described in subdivisions (1) through (3).

(d) The program and fund shall be administered by the department.

(e) Unexpended money appropriated to or otherwise available in the fund for the department's use in implementing the program under this chapter at the end of a state fiscal year does not revert to the state general fund but remains available to the department for use under this chapter.

(f) Subject to section 1.2 of this chapter, a school corporation may use money from the school corporation's capital projects fund as permitted under IC 21-2-15-4 for educational technology equipment.

SECTION 22. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2005]: IC 4-23-16-1; IC 4-23-16-2; IC 4-23-16-3.

SECTION 23. [EFFECTIVE JULY 1, 2005] (a) **After June 30, 2005, a reference in any law, rule, contract, or other document or record to:**

(1) **the division of information technology of the Indiana department of administration; or**

(2) **the technology oversight commission;**

shall be treated as a reference to the information technology department established by IC 4-23-16-1.5, as added by this act.

(b) **On July 1, 2005, the property and obligations of:**

(1) **the division of information technology of the Indiana department of administration; or**

(2) **the technology oversight commission;**

are transferred to the information technology department established by IC 4-23-16-1.5, as added by this act.

(c) **An action taken by:**

(1) **the division of information technology of the Indiana department of administration; or**

(2) **the technology oversight commission;**

before July 1, 2005, shall be treated after June 30, 2005, as if the action had been taken originally by the information technology department established by IC 4-23-16-1.5, as added by this act.

(d) **On July 1, 2005, the funds that are in:**

(1) **the telephone rotary fund; and**

(2) **the data processing rotary fund;**

as administered by the Indiana department of administration shall

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1 be transferred to the telephone rotary fund and the data processing
2 rotary fund as administered by the information technology
3 department under IC 4-23-16-1.6, as added by this act.

4 (e) On July 1, 2005, individuals who were employees of:

5 (1) the division of information technology of the Indiana
6 department of administration; or

7 (2) the technology oversight commission;

8 on June 30, 2005, become employees of the information technology
9 department established by IC 4-23-16-1.5, as added by this act.

10 (f) This SECTION expires July 1, 2006.

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